

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA

v.

ERIK DEZJHION TILLMAN

DOCKET NO. 3:25-cr- 67 -KDB

FACTUAL BASIS

NOW COMES the United States of America, by and through RUSS FERGUSON, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty pleas that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime. The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

On or about November 8, 2024, in Mecklenburg County, within the Western District of North Carolina, the defendant **ERIK DEZJHION TILLMAN**, did forcibly assault, resist, oppose, impede, intimidate or interfere with Senior Inspector Eric Tillman (hereinafter referred to as Senior Inspector E.T.), an officer and employee of the United States Department of Justice, United States Marshals Service, while Senior Inspector E.T. was engaged in the performance of his official duties, with intent to commit another felony, to wit, felony fleeing to elude;¹ in violation of Title 18, United States Code, Section 111(a)(1).

¹ TILLMAN also admits for purpose of the Fleeing to Elude felony, that he was, as set forth below in more detail, operating a motor vehicle, that he was operating that motor vehicle in a public vehicular area, that he attempted to elude a law enforcement officer who was in the lawful performance of his duties, and that the following aggravating factors were present at that time – reckless driving, negligent driving leading to an accident causing property damage in excess of \$1,000, and driving while his driver's license is revoked; in violation of N.C.G.S. § 20-141-5(a) and (b).

More specifically, **TILLMAN** was wanted on multiple warrants on November 8, 2024, for crimes allegedly committed in Mecklenburg County – Felony Larceny and then misdemeanor offenses of Unauthorized Use of Motor Vehicle, Domestic Violence, Assault with Deadly Weapon, and Communicating Threats. **TILLMAN** was also wanted on a probation warrant out of South Carolina related to a prior conviction for Common Law Robbery / Strong Arm Robbery. The United States Marshals Service’s Carolinas Regional Fugitive Task Force in Charlotte (hereinafter the USMS-CRFTF”) located **TILLMAN** in his girlfriend’s Honda Civic in the parking lot of the Sleep Inn Northlake at 6300 Banner Elk Drive in Charlotte on November 8, 2024. **TILLMAN** was asleep in the front passenger seat at the time. The Honda Civic was backed into a parking spot between two other parked vehicles and there was a concrete block wall behind the Honda.

Senior Inspector E.T. was the Tactical Team Leader. He moved his Chevy Tahoe into position – placing its front bumper directly in front of the Honda’s parking spot so as to block the only direction of escape. Task Force Officer (“TFO”) Daniels parked his Ford Explorer to the right of Special Inspector E.T.’s Tahoe. TFO’s Allen and Daniels took up covered positions behind TFO Daniels’ Explorer. The other members of the USMS-CRFTF present were Deputy United States Marshal (“DUSM”) Lumadue, DUSM King, TFO Shingler, TFO Watts, TFO Joseph, TFO Irizarry, TFO Barksdale, TFO Johnson, TFO Laws and TFO Hoover. All USMS-CRFTF members were wearing agency issued tactical vests with police markings. The USMS-CRFTF members then activated the emergency lights on their vehicles.

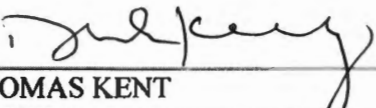
After several rounds of commands to put his hands up from Senior Inspector E.T., DUSM Lumadue, DUSM King, TFO Watts, TFO Joseph, TFO Johnson, and TFO Laws, who had taken up positions near the front of the Honda Civic, **TILLMAN** woke up. He looked around at the various police vehicles and USMS-CRFTF members and then started searching in and around the center console and below the dash. **TILLMAN** then moved to the driver’s seat and began to dig around the center console in a rapid manner. USMS-CRFTF members were giving loud, clear and concise commands for **TILLMAN** to put his hands up and to exit the Honda Civic. **TILLMAN** started the Honda Civic instead. Special Inspector E.T. deployed a 40mm less than lethal OC crush impact round to the windshield of the Honda Civic. The round cracked the windshield, but failed to penetrate it. TFO Johnson then tossed a flashbang onto the windshield, but it did not activate.

At that point, Senior Inspector E.T., an officer or employee of the United States was engaged in performance of official duties – stopping and taking **TILLMAN** into custody on the outstanding warrants. USMS-CRFTF members were ordering **TILLMAN** not to drive the Honda Civic forward and to surrender. It was at that point that **TILLMAN** forcibly and intentionally assaulted, resisted, opposed, impeded, intimidated or interfered with Senior Inspector E.T. More specifically, **TILLMAN**, whose driver’s license was revoked, put the Honda Civic into drive and accelerated in the direction of Senior Inspector E.T.’s Tahoe and the USMS-CRFTF members holding a position in and around the Tahoe – to include Senior Inspector E.T. and DUSM Lumadue who were facing the Honda Civic and positioned behind the front bumper of Senior Inspector E.T.’s Tahoe. Additional USMS-CRFTF members were stacked up behind Senior Inspector E.T.’s

Tahoe at the time. **TILLMAN** drove recklessly and rammed the Honda Civic into the front of Senior Inspector E.T.'s Tahoe as he attempted to drive out of the parking spot. **TILLMAN's** tires began to spin as he was unable to push past the Tahoe. **TILLMAN** then backed up before trying to recklessly ram his way out of the parking spot again – again ramming Senior Inspector E.T.'s Tahoe. **TILLMAN** backed up and into the concrete block wall at the rear of the parking spot - negligently causing property damage in excess of \$1,000 in the process when he struck the white rental SUV and the white pickup truck parked in the parking spots on either side of the Honda Civic. Senior Inspector E.T. got back into his Tahoe and drove into the Honda Civic, pushing it back against the concrete block wall and pinning it there.

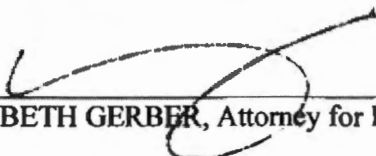
TILLMAN exited the Honda Civic and ran towards the rear of the vehicle. He then climbed up the concrete block wall and then jumped a fence before escaping into the woods behind the hotel that ran along I-77 – all the while ignoring the commands of USMS-CRFTF members to stop. The USMS-CRFTF located and took **TILLMAN** into custody on November 13, 2024 – after finding him again sleeping in the parked and now damaged Honda Civic on Runaway Bay Drive in the Stillwater Luxury Living Homes in Charlotte and after **TILLMAN** once again tried to flee the scene on foot.

RUSS FERGUSON
UNITED STATES ATTORNEY

for  DAVID W. KELLY
THOMAS KENT
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Information, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.


ELIZABETH GERBER, Attorney for Defendant

DATED: 3/18/25